IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

FRIDAY, THE 2ND FEBRUARY 2007 / 13TH MAGHA 1928

OP.No. 2352 of 2002(E)

PETITIONER:

ABDUL KAREEM, S/O.UNNI MOHAMMED HAJI,
REPRESENTED BY POWER OF ATTORNEY HOLDER UNNI
MOHAMMED HAJI, S/O.AVALANKUTTY, RESIDING AT
KUTTEERI PURAYI HOUSE, P.O.PULLIPARAMBA,
VIA.CHELAMBRA, MALAPPURAM DISTRICT.

BY ADV. SRI.P.M.PADMANABHAN
SMT.SREEVIDYA VARMA

RESPONDENTS:
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1. STATE OF KERALA, REPRESENTED BY
SECRETARY, LABOUR & REHABILITATION DEPARTMENT,
THIRUVANANTHAPURAM.

2. THE DISTRICT EXECUTIVE OFFICER,
KERALA MOTOR TRANSPORT WORKERS WELFARE FUND BOARD,
KOZHIKODE.

3. THE DEPUTY TAHSILDAR (ARREAR COLLECTION)
TALUK OFFICE, TIRURANGADI, MALAPPURAM DISTRICT.

4. THE VILLAGE OFFICER, CHELEMBRA,
MALAPPURAM DISTRICT.

BY ADV. SRI.P.RAMAKRISHNAN, SC

THIS ORIGINAL PETITION HAVING BEEN FINALLY HEARD ON 02/02/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

O.P.No. 2352/2002

ORDER ON CMP NO. 4126/2002 IN O.P.No. 2352/2002

DISMISSED.

02/02/2007 SD/- (C.N.RAMACHANDRAN NAIR, JUDGE)

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1 COPY OF THE RECEIPT ISSUED BY THE WORKERS IN FAVOUR OF THE PETITIONER.

EXT.P2 COPY OF THE RECEIPT ISSUED BY THE WORKERS IN FAVOUR OF THE PETITIONER.

EXT.P3 COPY OF THE RECEIPT ISSUED BY THE WORKERS IN FAVOUR OF THE PETITIONER.

EXT.P4 COPY OF THE RECEIPT ISSUED BY THE WORKERS IN FAVOUR OF THE PETITIONER.

EXT.P5 COPY OF THE RECEIPT ISSUED BY THE WORKERS IN FAVOUR OF THE PETITIONER.

EXT.P6 COPY OF THE APPEAL AND STAY PETITION FILED BY THE PETITIONER BEFORE THE HON'BLE MINISTER FOR TRANSPORT ON 31/03/1989.

EXT.P7 COPY OF THE APPEAL AND STAY PETITION FILED BY THE PETITIONER BEFORE THE HON'BLE MINISTER FOR TRANSPORT ON 31/03/1989.

EXT.P8 COPY OF THE NOTICE ISSUED by the 3RD RESPONDENT DATED 17/12/2001.

EXT.P9 COPY OF THE NOTICE ISSUED BY THE 4TH RESPONDENT DATED 17/12/2001

// TRUE COPY //

PA TO JUDGE

jg

C.N.RAMACHANDRAN NAIR, J.

O.P. No. 2352 of 2002

Dated, this the 2nd day of February, 2007

J U D G M E N T

This O.P. is filed challenging the demand of contribution towards Motor Transport Workers Welfare Fund. Counsel for the respondents submits that demand is raised after enquiry and based on evidence given by Employees Union. Even though petitioner claims that appeal filed is not disposed of, learned Standing Counsel submitted that appeal was disposed of vide order dated 20/02/1997. It is not under challenge in this O.P. In the circumstance, and the demand is based on evidence given by the Union about workers engaged, there is no scope for interference. This O.P. is accordingly dismissed.

(C.N.RAMACHANDRAN NAIR, JUDGE.)

jg